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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re patent application:

Appl. No.	:	09/475,364	Confirmation No.:	6248
Applicant	:	James R. Altendahl et al.		
Filed	:	Dec. 30, 1999		
Art Unit	:	3623		
Examiner	:	A. Robinson-Boyce		
Attorney Docket No.	:	E-906		
Customer No.	:	00919	Date:	March 10, 2005

REQUEST FOR REFUND OF PUBLICATION FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby requests a refund of the publication fee of \$300.00 charged to deposit account 16-1885 on May 17, 2004.

On May 14, 2004, a request for publication of the above-identified patent application pursuant to 37 C.F.R §1.221 was filed. As noted in paragraph (a) of 37 C.F.R. § 1.221, "Any request for publication of an application filed before, but pending on, November 29, 2000 . . . must include of copy of the application in compliance with the Office electronic filing system requirements and be accompanied by the publication fee set forth in §1.18(d) and the processing fee set forth in §1.17(i)." Applicants included a copy of the application believed to be in compliance with the Office electronic filing system requirements. Applicants have subsequently been informed that the requirement of "must include a copy of the application in compliance with the Office electronic filing system requirements" actually means the application must be filed electronically utilizing the electronic filing system. Since the application was not filed

electronically using the Office electronic filing system, the Office is not going to publish the application.

As noted in the last sentence of paragraph (a) of 37 C.F.R. §1.221, "If the request does not comply with the requirements of this paragraph or the copy of the application does not comply with the Office electronic filing system requirements, the Office will not publish the application and will refund the publication fee." (Emphasis added).

To date the publication fee of \$300.00 has not been refunded. Applicant respectfully requests that the Office refund the publication fee of \$300.00 in accordance with 37 C.F.R. §1.221(a).

Please refund Deposit Account No.: **16-1885** in the amount of \$300.00.

The Commissioner is hereby authorized to credit any other overpayments to Deposit Account No. **16-1885**.

A duplicate copy of this transmittal is enclosed for use in refunding the Deposit Account.

Respectfully submitted,



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